

PTO/SB/26 (09-04)

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| TERMINAL DISCLAIMER TO OBLIGATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT | | Docket Number (Optional) P8794.05 |
| In re Application of: Zilla, et al. | | |
| Application No. 10/627,114 | Filed: July 25, 2003 | Examiner: Amareld, Jr., Robert W. |
| Group Art Unit: 3738 Confirmation Number: 3869 | | |
| For: Transmural Concentric Multilayer Ingrowth Matrix Within Well-Defined Porosity | | |

The owner, Medtronic, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,673,108 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
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2. The undersigned is an attorney of record. Reg. No. 40,151

David P. Ruschke
Signature

David P. Ruschke
Typed or printed name

Aug. 7, 2006
Date

763-505-2913
Telephone Number

Terminal disclaimer fee under 37 C.F.R. 1.20(d) included.

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